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OFFICER INVOLVED SHOOTING FORM

NARRATIVE SUMMARY

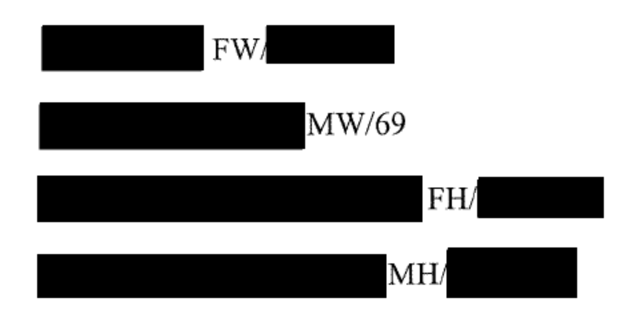
DEPUTIES INVOLVED

HARRIS, Robert Deputy #[redacted]

SWORN WITNESS

None

CIVILIAN WITNESS



[redacted] FW/[redacted]

[redacted] MW/69

[redacted] FH/[redacted]

[redacted] MH/[redacted]

EXHIBITS A THROUGH B

A Los Angeles Police Department Investigative Book under DR#05-1100523.
B Photographs of Scene

MISCELLANEOUS DOCUMENTS

Deputy Robert Harris' shooting records.
Deputy Robert Harris' Personnel Performance Index.
Admonishment Rights Form for Deputy Robert Harris.
Chief's Memorandum.

Los Angeles County Sheriff's Department
Officer Involved Shooting

Report Date: 05-16-05	Bureau/Station/Facility: Homicide Bureau	Admin. Invest.? ☐	Hit? ☐

Incident Information

URN: DR #05-1100523	Date: 01-13-05 Time: 2130
City or Station: Los Angeles	Nature of Incident: Deputy Involved Non-Hit Shooting - Off Duty
Location: [redacted] Avenue 56, Los Angeles	

Location Type (*circle one or more*): Backyard, Beach, Business, Freeway, Industrial, Park, Parking Lot, Residence, Rural, School, **Street** (circled)
Other: ______

Lighting (*circle only one*): **Darkness** (circled), Daylight, Other, **Street Lights** (circled)

Weather (*circle only one*): **Clear** (circled), Cloudy, Fog, Rain

Distance: 30 Ft. & 225 Ft.

Incident Type (*circle one or more*): Accidental, **Armed Person** (circled), Fleeing Suspect, Foot Pursuit, Gun Take Away, Moving Vehicle, Sniper/Ambush, Startle, Struggle Involved, Traffic Stop, Unarmed Person, Unintentional, Vehicle Pursuit, Warrant Service, Warning Shot
Other: ______

Initiated by (*circle only one*): Arrest Warrant, Call, **Observation** (circled), One Person Unit, Other, Search Warrant, Two Person Unit

Prior Activity (*circle only one*): Detective, Inmate Transport, **Other** (circled), Routine Patrol

Aero Unit? ☐ Canine Unit? ☐

Total # of Shots Fired by Deputy	Total # of Shots Fired by Suspect
6	4

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (*circle only one*)	ShiftType (*circle only one*)
	None			EM PM Day	Regular Overtime Off Duty
				EM PM Day	Regular Overtime Off Duty
				EM PM Day	Regular Overtime Off Duty

Non-Employee Witnesses

Last Name	First Name	M.I.	Street Address	City	Zip Code	Work Ph	Home Ph
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]

Supervisors

Employee #	Last Name	First Name	M.I	(*circle one or more*)
	N/A			On Duty / Present during shooting / Witness to shooting / Involved in shooting
				On Duty / Present during shooting / Witness to shooting / Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
	N/A		

Watch Commander

Employee #	Last Name	First Name	M.I.
	N/A		

PSTD Use Only

SH # 2137031

SH-R-438A rev. 3/07

See Reverse

Officer Involved Shooting

URN: DR #05-1100523

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
01-13-05	2330	05-16-05	

Employee #	Last Name	First Name	M.I
[redacted]	Morejon	Elier	
[redacted]	Hines	William	L.
[redacted]	Lee	Stacy	L.

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

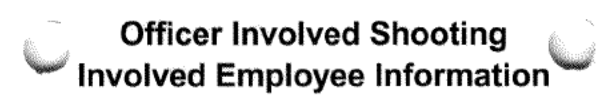
Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S#1	E#1	FH	ZZ	WW	-	-	NN	NN
E#1	S#1	FH	HK	45	Y	Y	NN	NN

See Front Side



Officer Involved Shooting
Involved Employee Information

URN: DR #05-1100523

Involved Employee

E 1

Employee # [redacted]	Last Name: Harris	First Name: Robert	M.I.
Sex: M Race: W	Rank: Detective	Unit Assignment: Homicide	Work Assignment (Unit #, Module, etc.): ---------
ShiftTime (*circle only one*): EM **(PM)** Day	ShiftType (*circle only one*): Regular Overtime **(Off Duty)**	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: Interviewed? ☐
Hrs of sleep prior to shooting: 8	Duty Time (hrs): Off duty	Clothing (*circle only one*): **(Plain Clothes no Vest)** Raid Jacket w/ Vest Plain Clothes w/ Vest Uniform no Vest Raid Jacket no Vest Uniform w/ Vest	Other Factors:
Age: [redacted] Height: 509	Weight: 210		
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? ☒ Number of Prior Shootings: 1
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]

E __

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank:	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest Raid Jacket w/ Vest Plain Clothes w/ Vest Uniform no Vest Raid Jacket no Vest Uniform w/ Vest	Other Factors:
Age: Height:	Weight:		
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ Number of Prior Shootings:
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

E __

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank:	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest Raid Jacket w/ Vest Plain Clothes w/ Vest Uniform no Vest Raid Jacket no Vest Uniform w/ Vest	Other Factors:
Age: Height:	Weight:		
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ Number of Prior Shootings:
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

See Other Side



Officer Involved Shooting Suspect Information



URN: DR #05-1100523

Suspect Information

S 1

Last Name Unknown		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: M Race: H	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make Japanese		Model: Compact	Year: 80's-90's

S__

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S__

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S__

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

See Other Side

INVESTIGATIVE SUMMARY
DEPUTY INVOLVED NON-HIT SHOOTING
IAB SH - 2137031
DR - 05-1100523

On Thursday, January 13, 2005, at approximately 2120 hours, Sergeants Elier Morejon and William Hines along with Lieutenant Stacy Lee of the Internal Affairs Bureau responded to [redacted] South Avenue 56, Los Angeles, regarding a Deputy Involved Non- Hit Shooting involving Homicide Bureau Deputy Robert Harris.

The summary of this incident is based on information obtained from written reports and interviews of the involved employee and witnesses. **Refer to Exhibit A - L.A.P.D. Investigative Book**

INVOLVED PERSONNEL:

HARRIS, Robert, Deputy, #[redacted]
Homicide Bureau
Detective Division

EMPLOYEE WORK HISTORY:

HARRIS, Robert

Date of Employment:	January 04, 1984
Date assigned to Patrol:	[redacted]
Completed Patrol Training:	
Prior Shooting Incidents:	January 16, 1999
Prior Founded Force Incidents:	[redacted]

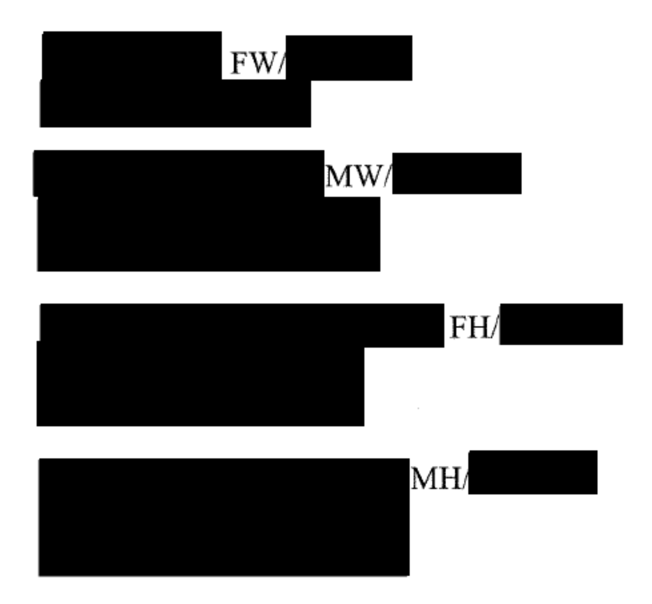
SUSPECT:

Unidentified Hispanic male. Remains outstanding.

SWORN WITNESSES:

None

CIVILIAN WITNESSES:


[redacted] FW/[redacted]

[redacted] MW/[redacted]

[redacted] FH/[redacted]

[redacted] MH/[redacted]

INJURIES:

None

PHYSICAL EVIDENCE:

Five expended shell casing fired from Deputy Harris' off duty weapon were recovered at the scene. Miscellaneous broken glass fragments recovered from Avenue 56, believed to belong to the suspects vehicle. **Refer to Exhibit B - Photographs of the scene.**

INVESTIGATOR OBSERVATIONS:

The location of the shooting was a residential street with single story residences on both sides. Avenue 56 is a standard asphalt residential street which runs north and south. **Refer to Exhibit B - Photographs of the scene.**

WEAPONS USED BY DEPUTY PERSONNEL:

Heckler & Koch, Model USP, Semi-automatic pistol, .45 Caliber, Serial number [redacted]

The weapon was examined, test fired, and found to be functional by Firearms Examiner [redacted] (LAPD) **Refer to Exhibit B - Firearms Examiner Report**

WEAPONS USED BY SUSPECTS:

Unknown handgun, possibly a revolver.

PROPERTY DAMAGE:

One of Deputy Harris' rounds struck an unoccupied brick building at [redacted] Figueroa Street. The round was recovered and held by LAPD. A second round was found on Avenue 56 with the shattered glass from the suspects vehicle. The remaining four rounds were unaccounted. **Refer to Exhibit B - Photographs of the scene.**

CRIMINAL INVESTIGATOR/CHARGES FILED:

Los Angeles Police Department, Force Investigation Division, Criminal Section responded and assumed the handle on the shooting. They wrote an Assault with a Deadly Weapon report naming Deputy Harris, his [redacted] and two additional people as victims. At the time of this report the suspect was not in custody.

LIGHTING AND WEATHER CONDITIONS:

This incident occurred during the night. The street was illuminated by several street lights. The weather was cool and clear.

INVOLVED EMPLOYEE'S STATEMENTS:

DEPUTY ROBERT HARRIS

On January 13, 2005, Deputy Harris was interviewed by Detective [redacted] Los Angeles Police Department, Internal Affairs Investigators, William Hines and Elier Morejon, participated in the interview. Deputy Harris agreed to be interviewed by Internal Affairs Investigators without an attorney present. Additionally, the interview was audio taped and summarized as follows:

Deputy Harris said that he and his [redacted] drove to [redacted] South Avenue 56 to visit a friend, [redacted] Deputy Harris said that they had just purchased a "Puppy" and went to the location in order to show it to Mr. [redacted] Deputy Harris said that while standing on the east sidewalk of Avenue 56 conversing with Mr. [redacted] he looked north and saw a late 80's early 90's silver or blue square compact vehicle drive south past his location and towards Echo Street. Deputy Harris said he noticed that the vehicle's exhaust was modified and that the driver (Male Hispanic, 20-30, dark complexion, wearing a blue baseball cap) was the only person in the vehicle. Deputy Harris said that the vehicle continued south on Avenue 56 and it made a right turn onto Echo Street.

Deputy Harris continued his conversation with Mr. [redacted] and his [redacted] Deputy Harris said that moments later he heard two distinct gunshots from the direction where he had last seen the vehicle make the right turn onto Echo Street. Deputy Harris said that he also saw luminous lighting from what he believed were the gunshots. (He described it as the muzzle flashes from the gun) Seconds later, Deputy Harris saw the same vehicle that had passsed him earlier, making a left turn onto Avenue 56 from Echo Street heading towards his direction. Deputy Harris said he saw two

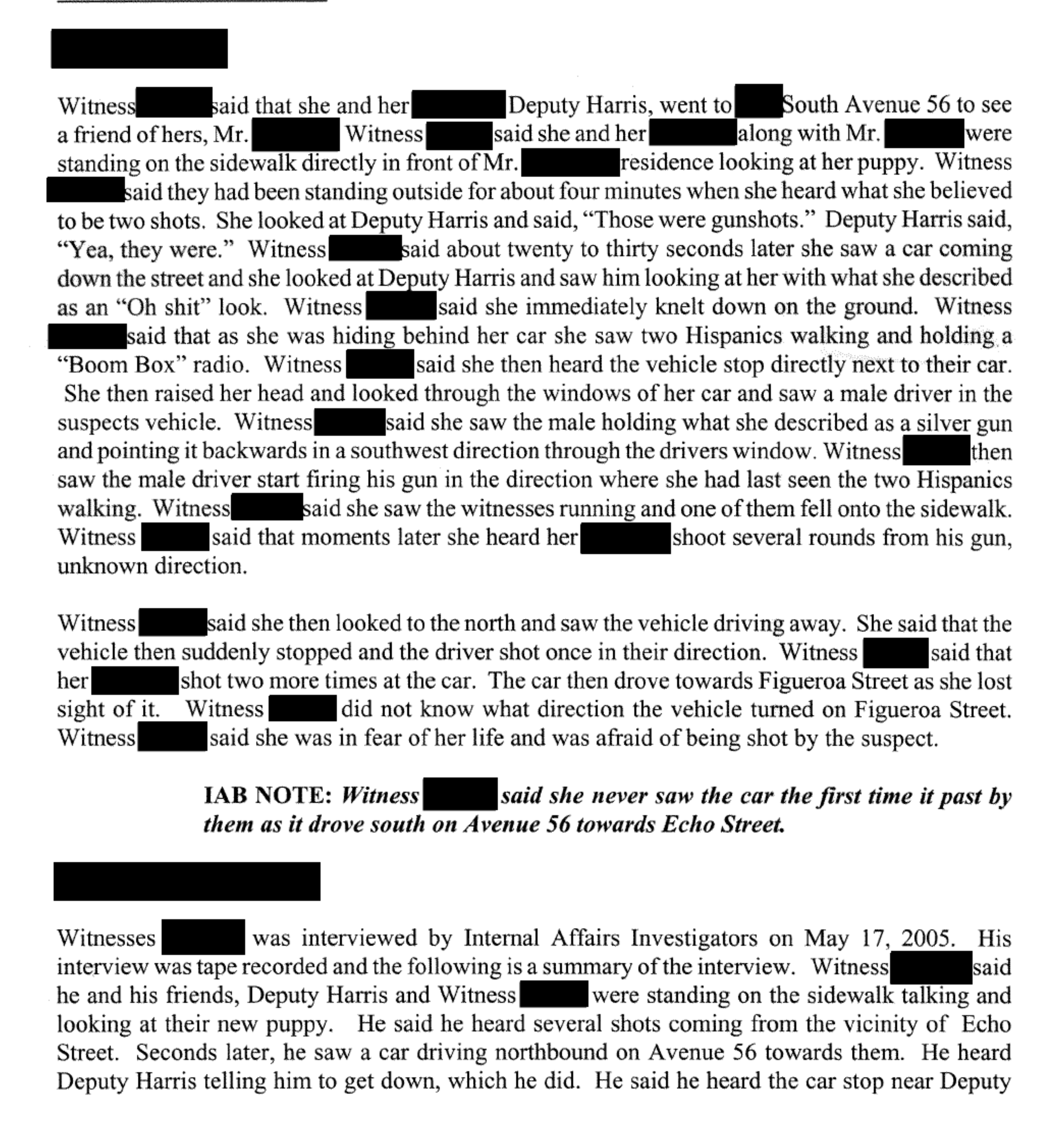
individuals, later identified as Witness' [redacted] and [redacted] walk off of the west sidewalk onto Avenue 56 and start walking towards him. He heard one of the two ask if they had heard the gunshots. Deputy Harris said that he immediately turned towards his [redacted] and Mr. [redacted] and told them to get down and take cover behind his car, which was parked on the east side of the street facing north.

Deputy Harris said that knowing the area he was in was a gang neighborhood known as the "Avenues" he felt that the vehicle had possibly just been involved in a drive by shooting or some other crime. Fearing for the safety of his [redacted] and friend as well as his, Deputy Harris removed his weapon from his waist and held it at his side, while also taking cover behind his vehicle. Deputy Harris said he made sure that the suspect did not see his gun because he did not want a confrontation with him. Deputy Harris saw the vehicle drive up and stop directly next to his car. The driver looked directly at Deputy Harris and then turned and looked at Witnesses [redacted] and [redacted] who were just west of the suspect car. The suspect, with his right hand, pointed what Deputy Harris described as a revolver at Witnesses [redacted] and [redacted] and fired several rounds at them. Deputy Harris said he was unaware at the time if Witnesses [redacted] and [redacted] had been hit by the gunfire. Deputy Harris said he stood up directly behind the passenger door of his car, still taking cover, and pointed his gun towards the suspect. The suspect turned towards Deputy Harris and again made eye contact with him as he started to drive away. The suspect drove about thirty feet and stopped his car, turned to his left, pointed the revolver out the drivers window towards Deputy Harris, his [redacted] and Mr. [redacted] and fired one shot. Deputy Harris said that at this time he was in fear of his life and of those around him so he fired four shots at the suspect.

The suspect vehicle drove northbound again for about another seventy five yards and again came to a stop. The suspect leaned his body out the drivers window, pointed the revolver towards Deputy Harris again and fired one more round. Again, Deputy Harris in fear of his life and those around him, fired two more rounds at the suspect. Deputy Harris said he believes that he struck the suspect's vehicle rear window as he saw it shatter after he shot. Suspects vehicle drove north on Avenue 56 and made a right turn onto Figueroa Street and out of view. Deputy Harris said he immediately called "911" via his cell phone. Deputy Harris said he never identified himself as a Deputy Sheriff nor was he wearing anything that would indicate to anyone that he was a deputy. Deputy Harris said that he did not shoot at the suspect when he fired upon Witnesses [redacted] and [redacted] because he did not want to draw the suspect attention towards his [redacted] and friend.

> **IAB NOTE:** ***Shattered glass from the suspect vehicle was found at the location along with a slug from Deputy Harris' handgun. The distances between Deputy Harris and the suspect during the shooting were approximately, 30 feet the first time and 225 feet the second time.***
>
> **IAB NOTE:** ***Deputy Harris said that when he shot at the suspect the first time, his backdrop was a closed business. During the second set of rounds was also a closed business. Deputy Harris said there were no other cars driving or any pedestrians walking.***

IAB NOTE: ***Deputy Harris fired a total of six rounds from his gun but only five casings were found at the scene. No casings from the suspects gun were found nor were any strikes from the rounds located.***



CIVILIAN WITNESSES:

[redacted]

Witness [redacted] said that she and her [redacted] Deputy Harris, went to [redacted] South Avenue 56 to see a friend of hers, Mr. [redacted] Witness [redacted] said she and her [redacted] along with Mr. [redacted] were standing on the sidewalk directly in front of Mr. [redacted] residence looking at her puppy. Witness [redacted] said they had been standing outside for about four minutes when she heard what she believed to be two shots. She looked at Deputy Harris and said, "Those were gunshots." Deputy Harris said, "Yea, they were." Witness [redacted] said about twenty to thirty seconds later she saw a car coming down the street and she looked at Deputy Harris and saw him looking at her with what she described as an "Oh shit" look. Witness [redacted] said she immediately knelt down on the ground. Witness [redacted] said that as she was hiding behind her car she saw two Hispanics walking and holding a "Boom Box" radio. Witness [redacted] said she then heard the vehicle stop directly next to their car. She then raised her head and looked through the windows of her car and saw a male driver in the suspects vehicle. Witness [redacted] said she saw the male holding what she described as a silver gun and pointing it backwards in a southwest direction through the drivers window. Witness [redacted] then saw the male driver start firing his gun in the direction where she had last seen the two Hispanics walking. Witness [redacted] said she saw the witnesses running and one of them fell onto the sidewalk. Witness [redacted] said that moments later she heard her [redacted] shoot several rounds from his gun, unknown direction.

Witness [redacted] said she then looked to the north and saw the vehicle driving away. She said that the vehicle then suddenly stopped and the driver shot once in their direction. Witness [redacted] said that her [redacted] shot two more times at the car. The car then drove towards Figueroa Street as she lost sight of it. Witness [redacted] did not know what direction the vehicle turned on Figueroa Street. Witness [redacted] said she was in fear of her life and was afraid of being shot by the suspect.

IAB NOTE: ***Witness [redacted] said she never saw the car the first time it past by them as it drove south on Avenue 56 towards Echo Street.***

[redacted]

Witnesses [redacted] was interviewed by Internal Affairs Investigators on May 17, 2005. His interview was tape recorded and the following is a summary of the interview. Witness [redacted] said he and his friends, Deputy Harris and Witness [redacted] were standing on the sidewalk talking and looking at their new puppy. He said he heard several shots coming from the vicinity of Echo Street. Seconds later, he saw a car driving northbound on Avenue 56 towards them. He heard Deputy Harris telling him to get down, which he did. He said he heard the car stop near Deputy

Harris' vehicle, he looked through Deputy Harris' vehicle and saw a silhouette of a person sitting in the drivers seat of the suspect vehicle. He said he then saw two muzzle flashes which illuminated the interior of the vehicle allowing him to see a handgun (nfd). He said he immediately went back down to the ground, as he heard the car drive forward. Seconds later, Witness [redacted] said he heard additional shots being fired, Deputy Harris being one of the people firing. Witness [redacted] said he got up and ran across the street because he was in fear of his life and of his friends "[redacted] and [redacted]" who were in the middle of the street. Witness [redacted] said he did not see which direction the vehicle left after the shooting. He spoke to his friend [redacted] who told him that he tripped on the sidewalk as he ran from the shots. [redacted] told Witness [redacted] that if Deputy Harris had not been there, he believed that the suspect would have got out of the vehicle, chased him down and shot him and his [redacted] He said he was really thankful for Deputy Harris and the action he took.

[redacted]

Witnesses [redacted] and [redacted] were both interviewed by Los Angeles Police Department Detectives. Both witnesses essentially gave the same story. They said they were walking on the sidewalk directly in front of [redacted] Avenue 56, when they heard two to three gunshots coming from the corner of Echo Street and Avenue 56. Immediately following the gunshots they saw a vehicle turn from Echo Street north onto Avenue 56. They started to cross the street as the vehicle passed them, but suddenly the vehicle stopped and the driver turned towards them with a gun in his hand. They started to run westbound towards the sidewalk and as they ran they heard two to three gunshots behind them. Witness [redacted] said as he ran onto the sidewalk he tripped and fell. They said they left the area and did not see anything else.

> **IAB NOTE:** ***Witnesses* [redacted] *and* [redacted] *were approximately 30 feet from the suspect as he fired at them.***

MISCELLANEOUS:

Los Angeles Police Department Force Investigation Team under the direction of Lieutenant [redacted] [redacted] conducted the criminal investigation. During the investigation they located an additional victim of a drive-by shooting committed by the outstanding suspect on Echo Street. No one at the scene was located who might have possibly known the suspect.

761551N25A - SH-AD (11/90)

COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

DATE: August 25, 2005

OFFICE CORRESPONDENCE FILE:

FROM: JOHNNY G. JURADO, COMMANDER
LEADERSHIP & TRAINING DIVISION

TO: RAY H. PEAVY, CAPTAIN
HOMICIDE BUREAU

SUBJECT: **EXECUTIVE FORCE REVIEW COMMITTEE FINDINGS AND RECOMMENDATIONS NON-HIT SHOOTING, JANUARY 13, 2005, REVIEW #2137031**

The purpose of this memo is to notify you of the review committee's findings and recommendations concerning the use of force incident which occurred on January 13, 2005.

The Committee met on August 25, 2005 and consisted of myself and Commanders Kenneth Brazile (Commander of the Department) and Robert Binkley (FOR III. The Committee determined the use of force by Deputy Harris #[redacted] was within Department policy.

Please advise the deputy of this finding.

JGJ:MAH:mh